

SENATE BILL NO. 199

INTRODUCED BY COONEY, KAUFMANN, LEWIS, COHENOUR, MILLER, HUNTER, HOLLENBAUGH,
CAFERRO, HINER, MENAHAN

A BILL FOR AN ACT ENTITLED: "AN ACT PROMOTING THE USE OF ALTERNATIVE TRANSPORTATION
BY STATE EMPLOYEES; ~~CREATING A TRAVEL REDUCTION ADVISORY COUNCIL~~; REQUIRING STATE
AGENCIES TO DESIGNATE A TRAVEL REDUCTION COORDINATOR, PREPARE A TRAVEL REDUCTION
PLAN, AND IMPLEMENT TRAVEL REDUCTION MEASURES; AND PROVIDING AN IMMEDIATE EFFECTIVE
DATE."

WHEREAS, Montana's streets are being burdened by increased commuting to and from work; and
WHEREAS, single-occupant vehicle travel is the predominant mode of travel in Montana; and
WHEREAS, single-occupant vehicle travel to and from work contributes to pollution, traffic congestion,
wear on infrastructure, and excessive use of dwindling petroleum reserves; and

WHEREAS, rapidly increasing fuel costs represent an ever-growing burden on the State of Montana and
its employees; and

WHEREAS, it is the duty of the State of Montana to encourage conservation of natural resources by
employees commuting to and from work; and

WHEREAS, many areas of the state are experiencing rapid growth, including areas outside of
municipalities, and many Montana state employees drive long distances to work; and

WHEREAS, THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE WAS FORMALLY ESTABLISHED BY
EXECUTIVE ORDER NO. 6-94 ON MARCH 30, 1994, WITH THE MISSION "TO INSPIRE STATE EMPLOYEES TO BE MORE
EFFICIENT IN THEIR WORK DAY TRAVEL BY PROMOTING AND FACILITATING WALKING, BIKING, CARPOOLING, VANPOOLING
AND PUBLIC TRANSPORTATION" TO AND FROM WORK; AND

WHEREAS, THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE IS COMPOSED OF VOLUNTEER STATE
EMPLOYEES APPOINTED BY THEIR RESPECTIVE EMPLOYER-AGENCY; AND

WHEREAS, THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE HAS WORKED TOWARD FULFILLING ITS
MISSION BY PREPARING AND DISTRIBUTING TO STATE EMPLOYEES INFORMATION REGARDING THE BENEFITS OF
ALTERNATIVES TO SINGLE-OCCUPANT VEHICLE TRAVEL AND AVAILABLE ALTERNATIVE TRANSPORTATION OPPORTUNITIES;
DISTRIBUTING SURVEYS; HOLDING PROMOTIONAL EVENTS; DEVELOPING RESERVED CARPOOL PARKING SPACES IN THE

STATE CAPITOL COMPLEX; DEVELOPING PARK AND CARPOOL SITES ON ROUTES INTO HELENA; PROMOTING AND ASSISTING WITH DEVELOPMENT OF A COMMUTER BUS ROUTE TO THE CAPITOL COMPLEX IN HELENA; AND OTHER SIMILAR ACTIVITIES; AND

WHEREAS, THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE IS AVAILABLE TO CONTINUE TO PREPARE AND DISTRIBUTE TO STATE AGENCIES, FOR DISSEMINATION TO EACH AGENCY'S EMPLOYEES, INFORMATION REGARDING THE BENEFITS OF ALTERNATIVES TO SINGLE-OCCUPANT VEHICLE TRAVEL AND AVAILABLE ALTERNATIVE TRANSPORTATION OPPORTUNITIES; AND

WHEREAS, THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE IS AVAILABLE TO PROVIDE GUIDANCE TO STATE AGENCIES IN PREPARING TRAVEL REDUCTION PLANS AND ENCOURAGING EMPLOYEES TO USE ALTERNATIVE TRANSPORTATION TO AND FROM WORK; AND

WHEREAS, the Legislature of the State of Montana finds it appropriate to enact a travel reduction program for its state employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~NEW SECTION. Section 1. Travel reduction advisory council--composition and duties. (1) There is a travel reduction advisory council within the department of environmental quality.~~

~~(2) The council must be composed of eight members and must include two current employees, appointed by the agency directors, representing each of the following agencies:~~

~~(a) the department of administration;~~

~~(b) the department of environmental quality;~~

~~(c) the department of public health and human services; and~~

~~(d) the department of transportation.~~

~~(3) Council members shall serve 4-year terms, and every 4 years the council shall elect a presiding officer from its membership.~~

~~(4) Subsections (5) through (8) of 2-15-122 apply to the council and members.~~

~~(5) The council shall:~~

~~(a) develop and distribute to each state agency a baseline survey for the purpose of collecting data on state employee commuting;~~

~~(b) distribute a similar survey every 4 years;~~

~~_____ (c) evaluate each agency's travel reduction plan and any revisions to a travel reduction plan pursuant to [sections 2 and 3];~~

~~_____ (d) make recommendations to each agency regarding each agency's travel reduction plan or revisions; and~~

~~_____ (e) monitor implementation of each travel reduction plan.~~

~~_____ (6) The surveys provided to each agency pursuant to subsections (5)(a) and (5)(b) must be in a uniform format and request an agency to provide:~~

~~_____ (a) the mode of transportation used and distance traveled by each agency employee to and from work; and~~

~~_____ (b) any other data that reasonably furthers the purposes of [sections 1 through 4].~~

~~_____ (7) The advisory council shall provide the surveys described in subsection (5) to each agency by January 1, 2010, and by January 1 of every subsequent fourth year.~~

NEW SECTION. Section 1. Travel reduction plan -- content -- definition. (1) By July 1, 2010, each state agency shall designate a current employee as the agency's travel reduction coordinator and prepare a travel reduction plan to be submitted to the travel reduction advisory council established in [section 4].

(2) The plan must include:

(a) the name of the travel reduction coordinator;

(b) a description outlining the methods to be used by the agency for the regular distribution of travel reduction information to employees;

(c) a description of travel reduction measures that have been undertaken by the agency;

(d) a description of travel reduction measures that the agency intends to implement; and

(e) any additional travel reduction information that may be considered relevant.

(3) "Travel reduction measures" as used in [sections 1 through 4 AND 2] means actions intended to reduce the number of employees commuting to and from work by single-occupant motor vehicle or the number of miles traveled by employees commuting to and from work by single-occupant motor vehicle by encouraging employees to use alternative transportation, including walking, biking, carpooling, and public transportation.

~~**NEW SECTION. Section 3. Travel reduction plan -- advisory council review and evaluation.** (1) The advisory council may recommend revisions to the agency within 90 days of receiving a plan or revised plan.~~

~~———— (2) Every 4 years, based on the council's survey pursuant to [section 1(5)(a) and (5)(b)], the council shall evaluate the effectiveness of each agency's travel reduction plan. The evaluation must be delivered to each agency and to the director of the department of environmental quality.~~

NEW SECTION. Section 2. Travel reduction requirements. (1) Each agency shall:

(a) participate in ~~the survey pursuant to [section 1(5)(a) and (5)(b)]~~ ANY SURVEYS REGARDING STATE EMPLOYEE COMMUTING DISTRIBUTED BY THE TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE by:

(i) encouraging employees to participate in the survey; and
(ii) returning a completed survey to the ~~advisory council~~ TRY ANOTHER WAY STATE EMPLOYEES TASK FORCE within 90 days of receiving it;

(b) provide its current employees with information concerning alternative transportation and travel reduction measures DEVELOPED OR RECEIVED BY THE AGENCY and provide new employees with the information pursuant to 2-17-417(2); and

(c) implement travel reduction measures.

(2) Participation in travel reduction measures, including walking, biking, carpooling, and using public transportation to commute to and from work, is not within the scope of an employee's public employment.

NEW SECTION. Section 3. Codification instruction. [Sections 1 ~~through 4~~ AND 2] are intended to be codified as an integral part of Title 2, chapter 15, and the provisions of Title 2, chapter 15, apply to [sections 1 ~~through 4~~ AND 2].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

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